



SACHI A. HAMAI  
Interim Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

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July 22, 2015

To: Mayor Michael D. Antonovich  
Supervisor Hilda L. Solis  
Supervisor Mark Ridley-Thomas  
Supervisor Sheila Kuehl  
Supervisor Don Knabe

From: Sachi A. Hamai   
Interim Chief Executive Officer

Board of Supervisors  
HILDA L. SOLIS  
First District

MARK RIDLEY-THOMAS  
Second District

SHEILA KUEHL  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

### **SACRAMENTO UPDATE - LEGISLATION OF COUNTY INTEREST RELATED TO PROPOSITION 47**

#### **Executive Summary**

This memorandum provides an update on the status of County-advocacy legislation and County-interest legislation related to the implementation of Proposition 47, the Safe Neighborhoods and Schools Act of 2014.

#### **Overview**

As previously reported, 11 legislative measures related to Proposition 47 of 2014, which reduced certain non-serious and non-violent drug and property offenses from felonies to misdemeanors, were introduced earlier in the Legislative Session. These measures would make changes to related statutes, sentencing provisions, and how anticipated State savings would be redirected into victim, truancy prevention, and recidivism reduction services. Three of the 11 measures continue to move through the legislative process this year.

#### **Status of County-Advocacy Legislation**

**County-support-if-amended AB 1056 (Atkins)**, which as amended on May 21, 2015, would direct Proposition 47 grant moneys to fund recidivism reduction programs that focus on community-based solutions, including mental health services, substance abuse disorder treatment services, misdemeanor diversion programs, and housing assistance, was placed on the Senate Appropriations Committee Suspense File on July 13, 2015.

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### **Legislation of County Interest**

**Listed below are measures which continue to progress through this year's legislative session:**

**AB 1104 (Rodriguez)**, which as amended on June 23, 2015, would authorize the issuance of a search warrant when the property to be seized are controlled substances or any instrument or paraphernalia unlawfully used for a controlled substance, was signed by the Governor on July 16, 2015. This measure is Chapter 124, Statutes of 2015 and becomes effective January 1, 2016.

The District Attorney's office and the Sheriff's Department, which supported AB 1104, indicate that the bill will correct an unintended consequence of Proposition 47, and clarify that law enforcement may seek and obtain a search warrant for possession of controlled substances.

**SB 333 (Galgiani)**, which as amended on May 6, 2015, would make it a felony to possess certain drugs known as "date rape" drugs with the intent to commit sexual assault, was placed on the Assembly Appropriations Committee Suspense File on July 8, 2015.

The District Attorney's office, which supports SB 333, indicates that the use of date rape drugs to commit sexual assaults is a serious problem that places many unsuspecting persons at risk, and for which stronger penalties are necessary to deter this serious crime.

**The following measures below will not proceed this year:**

**AB 46 (Lackey)**, which as amended on April 23, 2015, would make it a felony to possess certain drugs known as "date rape" drugs with the intent to commit sexual assault, was held in the Assembly Appropriations Committee on May 28, 2015 and will not continue this year.

**AB 150 (Melendez)**, which as amended on March 18, 2015, would, upon statewide approval by the voters, make the theft of a firearm a felony in all cases, and would make buying or receiving a stolen firearm a misdemeanor or a felony, was held in the Assembly Appropriations Committee on May 28, 2015 and will not continue this year. According to the author's office, AB 150 is now a two-year bill.

**AB 390 (Cooper)**, which as amended on May 28, 2015, would require persons convicted of those crimes reclassified as misdemeanors by Proposition 47, if they have a prior conviction as specified, to provide biological or DNA samples for law enforcement identification analysis, failed to pass the Senate Public Safety Committee by a 3 to 4 vote on a July 14, 2015. This measure was granted reconsideration and is now a two-year bill.

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AB 390 is supported by the District Attorney's office, which notes that this legislative correction would help solve various violent crimes through reliable DNA evidence that would identify violent offenders who would otherwise remain undetected for their worst offenses. The Sheriff's Department, which also supports AB 390, reports that prior to Proposition 47, the DNA database was expanding and had tremendous success accurately identifying individuals who have committed prior unsolved violent crimes while exonerating others.

**AB 1415 (Steinorth)**, which as amended on April 29, 2015, would make it a felony, for a person who has a felony conviction re-sentenced to a misdemeanor pursuant to Proposition 47, to own, purchase, or receive any firearm, was held in the Assembly Appropriations Committee on May 28, 2015 and will not continue this year.

**SB 205 (Beall)**, which as amended on April 9, 2015, would require the State to conduct a four-year study to evaluate the process, outcomes, and costs of Proposition 47, was held in the Senate Appropriations Committee on May 28, 2015 and will not continue this year.

**SB 452 (Galgiani)**, as amended May 5, 2015, would, upon statewide approval by the voters, make the theft of a firearm grand theft in all cases, punishable by imprisonment in State prison for 16 months, two years or three years, was re-referred to the Senate Appropriations Committee on May 5, 2015 and will not continue this year. According to the author's office, SB 452 is now a two-year bill.

**SB 515 (Beall)**, which as amended on April 6, 2015, would require that at least two-thirds of the Proposition 47 grant funds targeted for recidivism reduction programs be allocated to public behavioral health agencies to provide mental health services and substance abuse disorder treatment services, was held in the Senate Appropriations Committee on May 28, 2015 and will not continue this year.

**SB 527 (Liu)**, which as amended on April 20, 2015, would specify the process and standards by which the State would solicit proposals and award grants for the truancy prevention programs funded by Proposition 47, was held in the Senate Appropriations Committee on May 28, 2015 and will not continue this year.

We will continue to keep you advised.

SAH:JJ:MR  
VE:PC:lm

c: All Department Heads  
Legislative Strategist  
Local 721  
Coalition of County Unions  
California Contract Cities Association  
Independent Cities Association